

Rosie Hussey President Clear Lake

Charles C. Edwards, Jr.
Vice President
Des Moines

Sister Jude Fitzpatrick West Des Moines

> Brian Gentry Des Moines

Michael L. Knedler Council Bluffs

> Valorie J. Kruse Sioux City

Ana Lopez-Dawson Pella

> Max Phillips Woodward

LaMetta Wynn Clinton

Corey Anderson Student Member Norwalk

Kevin Fangman Acting Director and Executive Officer

Minutes State Board of Education September 16, 2010

The State Board of Education meeting was held on September 16, 2010, in the State Board Room, Grimes State Office Building, Des Moines, Iowa. The following State Board members were present: Charlie Edwards, Jr., Sister Jude Fitzpatrick, Mike Knedler, Valorie Kruse, Max Phillips, LaMetta Wynn, and Corey Anderson. Acting Director Kevin Fangman and Iowa Department of Education (Department) staff members Gail Sullivan, Carol Greta, Elaine Watkins-Miller, Jeff Berger, Konni Cawiezell, Del Hoover, Roger Utman, Tom Schenk, Jr., Tom Cooley, Sharon Hawthorne, and Jody Crane were in attendance. Also in attendance were Nancy Montgomery, Master in Nursing Education Program; John Field, Jennifer Field, and John Nelson, Prairie Valley Citizens; Richard Lee, WHO Radio; Molly Kottmeyer, Governor's Office; Sheila King and Paula Vincent, Heartland Area Education Agency (AEA); Staci Hupp, The Des Moines Register, Jason Chapman, House Republican Caucus, Legislature: Christie Scase, Iowa Department of Inspections and Appeals; George Maurer and Greg Robinson (via telephone), Iowa Board of Educational Examiners; Glenn Pelecky (via Polycom), Ed Gronlund (via Polycom) and Kris Wolzen (via Polycom), Mississippi Bend AEA.

STATE BOARD BUSINESS MEETING

Vice President Charlie Edwards called the meeting to order at 10:00 a.m.

It was moved by Valorie Kruse and seconded by Sister Jude Fitzpatrick that the September agenda be approved. The motion carried unanimously.

COMMUNICATION

Director's Report

Status of Filling Positions Acting Director Kevin Fangman reported that the Department has filled over half of its vacancies and is in the process of filling the remaining vacancies.

❖ Director Search

Fangman indicated that the Governor announced that the Department Director search will reconvene in November.

Staff Resignation

Fangman announced that Elaine Watkins-Miller has accepted a new position with the West Des Moines Community School District. She will be the district's Director of Community and School Relations/Board Secretary. Her last day with the Department will be October 1, 2010.

Fangman is working on a plan to temporarily cover her position.

❖ Teacher of the Year

Fangman accompanied the Governor to the Waukee Community School District and introduced Molly Boyle as the 2011 Teacher of the Year. She will be honored at a luncheon in October that will be sponsored by Qwest.

Fangman indicated that Sarah Brown Wessling will be invited to meet with the Board and share some of the experiences she has had during her tenure as the National Teacher of the Year.

Superintendent Meetings

Fangman has met with a third of the superintendents in the past two weeks and will be visiting two more AEAs in October. At these meetings, he discusses the State Board's policy priority areas of closing the achievement gaps, online learning, and competency-based education.

Public Comment

Jennifer and John Field from Callender, Iowa, provided comments opposing the closing of the Prairie Valley Elementary Building.

CONSENT AGENDA

Max Phillips moved and Mike Knedler seconded to approve the consent agenda. The motion carried unanimously. Valorie Kruse noted that she was abstaining from approving the minutes of the consent agenda due to her absence from the July 29, 2010, meeting.

Rules: Chapter 36 – Extracurricular Interscholastic Competition (Notice)

Carol Greta, Attorney, Office of the Director, reported that she periodically meets with the executive directors of the Iowa High School Athletic Association (IHSAA), the Iowa Girls High School Athletic Union (IGHSAU) and the speech and music groups to review the rules in Chapter 36.

Greta highlighted the proposed rule changes which include providing clarity to the prohibition against all-star players competing in all-star contests and adding a statement that says school personnel may coach a senior student from the coach's school in an all-star contest once the senior student's interscholastic athletic season for that sport has concluded; adding modifiers to the word "days;" increasing the value of any award a student will be permitted to receive from \$25 to \$50 for participating in an interscholastic athletic contest or program and striking the word "cash equivalent;" clarifying that it is not appropriate for academically ineligible students to appeal a failing grade to the IHSAA or IGHSAU because such appeals must be pursued with the student's local school; and reflecting actual practice regarding cooperative sharing programs.

Motion: Max Phillips moved and LaMetta Wynn seconded approval to give public notice of its intent to amend Chapter 36.

Vote: The motion carried unanimously.

In re Closing of Prairie Valley Elementary Building

Carol Greta, Administrative Law Judge, Office of the Director, indicated that the Prairie Valley Elementary Building and Emerson Hough Elementary Building closing appeals are the first the State Board has seen since the "Barker rules" were ruled void by the lowa Supreme Court. As a result of the Supreme Court's decision, the State Board cannot engage in an analysis of the criteria under those rules. The State Board can, however, look at the evidence and decide if there was substantial credible evidence to back up the decision that the local school board made.

Greta reported that in the case of Prairie Valley Elementary, whether the local board had voted to close the elementary school or the middle school, there was substantial credible evidence to back up either decision.

Under the "abuse of discretion" standard, the State Board can't substitute its judgment for that of the local school board. The State Board can look at evidence that the local board heard and decide if was there evidence so that a reasonable person could look at the decision and say there was evidence to back up the local board's decision. Greta indicated that she provided more facts in the decision than were legally necessary to recognize the fact that this was a difficult issue for the local community and to help citizens of the district understand that their local school board truly took into account all relevant facts. Greta reported that the appellants, Mr. and Mrs. Carlson, and their attorney attended the 11-hour hearing and provided a significant amount of evidence.

Greta reminded the Board that they cannot consider anything after the evidentiary record has closed and said she has not received any appeals from parents of students; therefore, nothing else is pending.

Motion: Mike Knedler made a motion and LaMetta Wynn seconded the decision upholding the decision of the local board of directors of the Prairie Valley Community School District to close the District's elementary building.

Vote: The motion carried unanimously.

In re Closing of Emerson Hough Elementary Building

Christie Scase, Administrative Law Judge, Iowa Department of Inspections and Appeals, presented on the Emerson Hough Elementary Building decision. She indicated that this decision acknowledges the change in the review standard for the State Board that was dictated by the Iowa Supreme Court, recognizes the Board's authority to review the local decision in this context, and is limited to review in "abuse in discretion."

Scase stated that in this case, the case was being proposed for resolution by the State Board prior to hearing on a motion for summary judgment. She explained that this process is a mechanism that parties to litigation use if they believe there are no disputed facts that would change the outcome of the case that could be developed at hearing. If the prehearing information that's presented in the form of affidavits and contested statements of facts leads only to one legal conclusion that would not be altered by conducting a hearing, then the matter can be resolved prior to hearing through a summary judgment and that is the proposal in this case.

Motion: Max Phillips made a motion and Sister Jude Fitzpatrick seconded the proposed ruling granting summary judgment to the Newton Community School District in this appeal from the local school board's decision to close one of the District's elementary schools.

Vote: The motion carried unanimously.

There was discussion regarding the process used in acting on these decisions and what the appellant's options would be if they wanted to appeal the decision. Carol Greta reminded the Board that if they are contacted by either side in this decision, they should decline comment as an appeal could be filed within 30 days from today's meeting.

State Board Legislative Agenda for 2011

Konni Cawiezell, Legislative and Policy Liaison, Office of the Director, reviewed the proposed 2011 Legislative Agenda and did a comparison with the 2010 agenda. The agenda is used to communicate funding and policy priorities to legislators, the general public, and a variety of stakeholders.

There was discussion regarding linking up the State Board's priorities with other educational entity priorities, if appropriate, and adding language that reflects the State Board leading the efforts and asking legislators to support those efforts.

Cawiezell reminded the Board that at the upcoming legislative day, they will want to talk to legislators and remind them of the Board's priorities.

The Board was asked to continue their review of the agenda and bring any changes to the November State Board meeting.

Area Education Agency Accreditation (Mississippi Bend AEA and Heartland AEA)

Sharon Hawthorne, Bureau of Student and Family Support Services Special Education Consultant, and Tom Cooley, Bureau of Accreditation and Improvement Services School Improvement Consultant, and co-leaders of the AEA Site Team visit, presented information for Mississippi Bend AEA and Heartland AEA. Hawthorne introduced Glenn Pelecky, Mississippi Bend AEA Administrator, who joined the meeting via Polycom, and Paula Vincent, Heartland AEA Administrator, and Sheila King, who served as Heartland AEA's Interim Administrator at the time of the accreditation visit.

Hawthorne reported that for the second year, the accreditation process was based on the eight standards that are outlined in Iowa Code Chapter 72. This change has brought the AEA accreditation process in line with other accreditation processes implemented by the Department.

Hawthorne stated that the Bureau of Student and Family Support Services is continuing its efforts to further integrate special education monitoring into the AEA accreditation visits.

Hawthorne described the AEA accreditation process. She stated that the process included a document review, team training, an overview of the process, an overview of each agency (by agency staff), interviews, debriefing, wrap-up, and team building consensus.

Cooley indicated that a team consensus report was developed for both Mississippi Bend AEA and Heartland AEA. He reviewed the strengths for both agencies indicating that media and technology services continue to be strengths. He also reviewed the suggested areas of improvement indicating that communication was a common issue.

Hawthorne provided a synopsis of each agency's report by reviewing highlights, concerns, and Department recommendations to address those concerns.

Charlie Edwards asked what Mississippi Bend AEA was doing to address concerns expressed in the accreditation report dealing with English as a Second Language students and the communication issues.

Glenn Pelecky stated that he appreciates the work of the accreditation team and takes the report seriously. The timing of the accreditation visit was good because Mississippi Bend AEA is in the middle of reorganization. He explained that one key area they are

emphasizing is customized services through a partnership agreement to meet the unique needs of each district.

Ed Gronlund, Mississippi Bend AEA Director of Evaluation and Market Research, described situations using the customized services through a partnership agreement with persistently lowest achieving schools and dealing with the achievement gap.

Max Phillips asked how both agencies are staffed and ready to deliver lowa Core professional development and to describe the state of readiness in the districts.

Paula Vincent thanked the Board for the opportunity to meet with them. She indicated that the timing is outstanding as Heartland AEA has insight into what their strengths and challenges are from an outside group as they are resetting their strategic direction to align with the State Board's direction of the Iowa Core. She stated that it is going to be central to their work in terms of supporting where their districts are, what the data says about current levels of performance, where the gaps in achievement are, and which pieces of the content from the Iowa Core they believe are their beginning point. Their staff is prepared to begin work on the content and the instructional strategies. They will deliver the Iowa Core using a three-prong approach. Everybody needs to focus on the same goal and that is raising student achievement.

Pelecky responded that the Iowa Core has been the focus of his agency. They were the first AEA that had student achievement as their goal.

Kris Wolzen, Mississippi Bend AEA Director of Integrated Services, provided additional information on the work Mississippi Bend AEA is doing with the Iowa Core.

Tom Cooley indicated there will be a change to the accreditation process. In the past, documents were reviewed onsite. Beginning next year, documents will be sent to the accreditation team members electronically for review. This change will reduce the visits by two days. Cooley reminded the Board that the onsite visit is only one part of the continuing process that they look at with AEAs. Each agency also has to submit an Annual Progress Report and a Comprehensive Improvement Plan to the Department.

There was discussion about how the State Board and Department's priorities could be built into the accreditation process around competency-based education and virtual learning, and how AEAs are held accountable for that kind of progress.

Cooley indicated that this upcoming year, accreditation visits are scheduled at Keystone AEA and Green Hills AEA.

Cooley stated that based on the results of the findings and team member suggestions for Mississippi Bend and Heartland AEA, it is recommended that both agencies be granted continued accreditation status.

Motion: It was moved by Max Phillips and seconded by Valorie Kruse to approve continuing accreditation for Mississippi Bend AEA.

Vote: The motion carried unanimously.

Motion: It was moved by Sister Jude Fitzpatrick and seconded by Mike Knedler to approve continuing accreditation for Heartland AEA.

Vote: The motion carried unanimously.

Kevin Fangman stated that he and Department senior staff members meet monthly with AEA chiefs. The Department and AEAs are trying to work more as a collaborative system to roll out the Iowa Core and other initiatives so all students in Iowa receive the education they need and all educators and professionals get the support they need to deliver that education.

Fangman reported that Mississippi Bend AEA is seeking additional grant funding to support low achieving schools. He also mentioned that Mississippi Bend AEA and Heartland AEA helped design and develop training for the lowa Core that will benefit all educators. Fangman expressed his appreciation to the two directors for their support.

Max Phillips commented that the synopsis provided with the accreditation reports was helpful and said it would be helpful if other accreditation reports used the same format.

State Board Policy Development Priorities and Master Calendar

Gail Sullivan, Chief of Staff, Office of the Director, reported that at the State Board retreat in June, the Board identified priorities for the Policy Development/Leadership Agenda for 2010-2011.

Sullivan reviewed a document titled "Process Used to Develop State Board of Education Meeting Agendas." Sullivan indicated that she developed a draft of the "Plan of Study and Action" as a result of discussion that occurred at the retreat. The identified priorities are: Competency-based Education, Online Learning and Other Technological Advances to Support 21st Century Learning, and Reducing the Achievement Gap.

Sullivan reviewed the three priorities and the Board discussed each item and suggested changes and plans to address each priority. She also indicated that long-term goals and strategies have been added to each priority.

Sullivan mentioned that the policy discussions and actions described in the Policy Development/Leadership Agenda are mapped out on the State Board Master Calendar and form the basis for State Board meeting agendas for the coming year.

Board Reports

<u>Valorie Kruse</u> reported that the Wallace Foundation received a grant and is moving forward.

<u>Mike Knedler</u> reported that he and Ana Lopez-Dawson will be attending the 2010 National Association of State Boards of Education Annual Conference on October 13-16, 2010, in Salt Lake City, Utah.

Sister Jude Fitzpatrick had no report.

<u>Charlie Edwards</u> stated that he visited the Van Meter Community School District to see their 1:1 laptop program.

<u>LaMetta Wynn</u> reported she attended an Iowa Communications Network meeting with the Community College Council and that she is periodically involved in activities with the Clinton Community School District.

<u>Corey Anderson</u> indicated that he spent time talking with teachers and faculty and he feels there is a need to continue to focus on communication.

<u>Max Phillips</u> reported that the Business Education Roundtable is focusing on the same priorities as the State Board especially around competency-based education and virtual learning. Dr. Ben Allen, President, University of Northern Iowa (UNI), is trying to get a nationally known speaker to come to Des Moines in October and perhaps State Board members will be invited as well. UNI is interested in these priorities because of their commitment to education and educator preparation. Phillips has been invited to the AEA chiefs' meeting to talk about competency-based education and virtual learning, but thinks they also need to hear from State Board members and Kevin Fangman.

Iowa Board of Educational Examiners

George Maurer, Iowa Board of Educational Examiners (BOEE) Executive Director, introduced Greg Robinson, Iowa Board of Educational Examiners Board Chair.

Maurer indicated that the BOEE is 20 years old and is an independent agency with an autonomous board that has its own statutes and rules. The two primary functions are setting licensure standards for teachers, administrators, paraeducators, coaches, and business managers; and hearing professional practice cases.

Maurer talked about the BOEE's funding, staffing, make-up of the Board members, a paper created by the National Association of State Directors of Teacher Education and Certification (NASDEC) titled "2009 Status of Educator Standards Boards," the history behind the creation of the BOEE, and the link between the BOEE and the Department.

Maurer also addressed the number of professional practice cases heard each year and the process used when a complaint is filed.

Greg Robinson reviewed the BOEE's goals and provided comments. The BOEE's goals are:

Goal 1: The Board will develop rules for practitioner licensure that maintain high standards, are research based and provide flexibility in attainment.

Goal 2: The Board will develop a communication plan for the dissemination of information to its constituent groups.

There was extensive discussion regarding licensing barriers relating to virtual education and the need for various entities to come together to communicate what is needed. George Maurer stated that the BOEE would be willing to be part of that conversation. He also stated that he will be attending a NASDEC meeting in October and will survey other states to see what they are doing in regards to this issue. Kevin Fangman indicated that all of the states that were awarded Race to the Top funding had a competency-based component and were increasing their online learning in their state.

Report of the Coordinating Council for Hearing Services

Sister Jude Fitzpatrick, State Board Member, reported that the Coordinating Council for Hearing Services has been meeting for three years. The Council was asked to review all statewide services which support the education of students who are deaf and hard of hearing, identify the future needs of these students, collaborate with other providers in ways that would benefit students statewide, and ensure that existing services are being provided in the most effective and efficient manner. As a result, the Coordinating Council developed the Preferred Future Plan.

Fitzpatrick described the Coordinating Council membership and indicated that Dr. Bruce Gantz was a key participant in the process. She described the challenge of gathering input from every perspective in developing the Preferred Future Plan. She stated that the Coordinating Council is seeking approval of the plan by the Board of Regents and the State Board of Education. Following approval by these organizations, an Executive Council will be organized to begin the process of implementing the Preferred Future Plan.

There was discussion regarding future delivery of services.

Motion: It was moved by Max Phillips and seconded by Sister Jude Fitzpatrick to approve the Preferred Future Plan which was developed by the Coordinating Council for Hearing Services.

Vote: The motion carried unanimously.

Community College Performance Indicators Report 2009

Roger Utman, Administrator, Division of Community Colleges and Workforce Preparation, stated that the Community College Performance Indicators Report provides an update of the five-year strategic plan for community colleges. The Department is moving into the fifth year of the current plan and has started work on the new plan with the Community College Council which needs to be in place by July 1, 2011. Because of the way data is collected, the information being presented is for 2009.

Tom Schenk, Jr., Instructional and Research Educational Program Consultant, Bureau of Community Colleges and Career and Technical Education Services, showed a PowerPoint and indicated that the State Board and the Community College Council have an important role in developing the statewide strategic plan. Each community college has an individual strategic plan which is updated at various times. The statewide strategic plan "Shaping the Future" has to be developed once every five years. It provides goals and metrics for community colleges and performance indicator updates on meeting the goals on a year-to-year basis. The goals don't change, but the data is updated to see if progress is being made.

Schenk described the process used in reviewing the data, the mission of community colleges, and the five goals and indicators of success for each goal to see if improvement or decline is being seen.

The five goals and indicators of success for each goal are:

- Goal 1: Provide high-quality, comprehensive educational programs and services accessible to all lowans. Indicators of Success: Unduplicated Enrollment, Arts and Sciences Enrollment, Career and Technical Education Enrollment, Joint Enrollment, and Success Rate
- Goal 2: Develop high-skilled workers to meet the demands of Iowa's economy. Indicators of Success: Eligible Noncredit Enrollment, Median Graduate Wage, Penetration Rate
- Goal 3: Maximize financial and human resources to assure provision of comprehensive community college services to lowans and to allow lowa to compete on a national and international level. Indicators of Success: Average Tuition
- Goal 4: Demonstrate effectiveness and efficiency for achieving the system mission and goals. Indicators of Success: There were no indicators of success for this goal.
- Goal 5: Recruit, enroll, and retain to completion or graduation persons of underrepresented groups and recruit and retain persons from minority racial/ethnic groups in faculty and administrative roles.

Indicators of Success: Enrollment by Race/Ethnicity, Awards by Gender, Awards by Race/Ethnicity, Employees by Race/Ethnicity, Employees by Gender

There was discussion regarding the process used in creating the measures of success for each goal; and the penetration of minorities enrolled in lowa's community colleges.

Motion: It was moved by Mike Knedler and seconded by Valorie Kruse to approve the community college performance indicators report as presented.

Vote: The motion carried unanimously.

Community College Fiscal Year 2011 Tuition and Fees Report

Roger Utman, Administrator, Division of Community Colleges and Workforce Preparation, introduced Tom Schenk, Jr., Instructional and Research Educational Program Consultant, Bureau of Community Colleges and Career and Technical Education Services.

Schenk provided highlights from the report which included:

- Iowa's Community Colleges Resident Tuition
- Iowa's Community Colleges Fees
- Tuition and Fees per Credit Hour
- National Comparison of Tuition and Fees
- Regional Comparison of Tuition and Fees
- Tuition Comparison with Iowa's Public Universities
- ❖ Revenue Sources for Iowa's Community Colleges

In response to a question regarding lowa students attending community colleges in other states because of lower tuition rates, Schenk indicated that hopefully within a year the Department will be able to track where high school students attend postsecondary education. There was also discussion regarding the tuition rate for nonresident students and if community colleges receive property tax assistance.

Miscellaneous

Gail Sullivan, Chief of Staff, Office of the Director, distributed the topics for the November 17, 2010, State Board meeting and reminded the Board that this meeting will be on a Wednesday which is the day before the Iowa Association of School Boards Convention.

Vice President Charlie Edwards adjourned the meeting at 2:05 p.m.		
Charlie Edwards	Kovin Fangman	
	Kevin Fangman	
Vice President	Acting Director	